



RESTRICTIONS ON PRESIDENTIAL AUTHORITY TO
PROVIDE ASSISTANCE TO FOREIGN NATIONS
AND CONDUCT FOREIGN OPERATIONS

OLC #781904

<u>RESTRICTION</u>	<u>EFFECT</u>
Sec. 25 - International Security Assistance Act of 1977	Prohibits assistance in FY 1978 for military or paramilitary operations in Zaire unless President determines such assistance is in the national security interests and submits a description and certification to Congress
Sec. 404 - International Security Assistance and Arms Export Control Act of 1976	Prohibits assistance of any kind to promote military or paramilitary operations in Angola
Sec. 662 - Foreign Assistance Act of 1961, as amended (Hughes-Ryan amendment)	Prohibits non-intelligence covert operation abroad by CIA unless President finds it is important to national security and reports it to Congress
Sec. 620B - Foreign Assistance Act of 1961, as amended	Prohibits military assistance, training, foreign military sales or financing, and Munitions Control export licenses for Argentina after September 30, 1978
Sec. 406 - International Security Assistance and Arms Export Control Act of 1976	Prohibits, with respect to Chile, the same activities prohibited for Argentina by Sec. 620B of the FAA (described above).
FY 1978 Foreign Assistance and Related Programs Appropriations Act	Prohibits the use of funds for a number of countries in Latin America and Africa
Sec. 503 - Foreign Assistance and Related Programs Appropriations Act (Brooke Amendment)	Prohibits assistance to a country in default for more than one year in repayment of a loan from the U.S. unless previously disputed or default being cured.

-2-

RESTRICTION

Secs. 504(a)(2) and 516 -
Foreign Assistance Act of
1961, as amended

EFFECT

Prohibit grant military assist-
ance to any country unless the
country and the amount of assist
ance are specified by law. (This
precludes immediate grant
assistance to a country not
specifically included in the
annual authorization bill.)

Arms Export Control Act

Section 3(a)	-	eligibility criteria/3rd party transfers
3(c)	-	ineligibility procedures
3(d)	-	3rd party transfer procedures
3(f)	-	terrorism
4	-	Authorized purposes/Conte Long
5	-	discrimination
21(c)	-	combat activities
21(h)	-	combat readiness
31(a) & (b)	-	financing authorization and ceiling
31(d)	-	EDA
32	-	ExIm
33(a)	-	African ceiling
35(a)	-	diversion of \$ by LDC's
36(b)	-	30 day Cong. review of big sales
36(c)	-	30 day Cong. review of comm. exports
38(b) (3)	-	restrictions on commercial exports
42(c)	-	offshore procurement

Foreign Assistance Act of 1961

- Section 502(B) - human rights
- 502 - authorized purposes
- 502(a)(2) - MAP (see also Sec. 516)
- 505 - eligibility conditions/3rd party transfers/discrimination
- 514 - stockpiling
- Section 620
 - (a) - Cuba
 - (e) - Hickenlooper
 - (f) - Communist countries (see also (b))
 - (i) - aggressive countries
 - (m) - wealthy countries
 - (q) - countries in default
 - (t) - countries with which no dip. rels.
 - (x) - Turkey
- Section 620A - terrorism
- Section 620(B) - Argentina

UNCLASSIFIED	CONFIDENTIAL	SECRET
--------------	--------------	--------

EXECUTIVE SECRETARIAT
Routing Slip

*OLC
State*

TO:		ACTION	INFO	DATE	INITIAL
1	DCI		X		
2	DDCI		X		
3	DD/RM				
4	DD/NFA				
5	DD/CT				
6	DD/A				
7	DD/O		X		
8	DD/S&T				
9	GC		X		
10	LC		X		
11	IG				
12	Compt				
13	PA				
14	D/EE0				
15	D/Pers				
16	AO/DCI				
17	C/IPS				
18	DCI/SS				
19	C/CA/DDO		X		
20					
21					
22					
		SUSPENSE DATE:			

Remarks:

To 1: Per your request at this morning's Staff Meeting, I obtained the attached from State/LS Tarnoff.